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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,957	03/23/2004	Ronald P. Swanson	58882US002	2361

32692 7590 09/28/2007
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EXAMINER

MACKEY, JAMES P

ART UNIT	PAPER NUMBER
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1722

NOTIFICATION DATE	DELIVERY MODE
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09/28/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/806,957

Applicant(s)

SWANSON, RONALD P.

Examiner

James Mackey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 13 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-12 is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :10/5/04;5/9/05;6/16/05;7/10/06;3/13/07;7/2/07.

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1. Applicant's election without traverse of Group I, claims 1-12, in the reply filed on 03 August 2007 is acknowledged.
2. Claim 13 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 03 August 2007.
3. Applicant should update the Title to reflect the elected invention, e.g. apparatus only.
4. Claim 2 is objected to because of the following informalities: on lines 2-3 of claim 2, "a first surface and first surface" is incorrect and should apparently read --a first surface--.
Appropriate correction is required.
5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Shimoda et al. (U.S. Patent 6,362,020; Figure 7; col. 6, line 54 through col. 7, line 18).

Shimoda et al. clearly teach a system comprising a web handling apparatus having a web path including means for flexing the web to induce a plastic strain in the cross-direction of the web.

7. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by EP 1,258,555 (Figures 5 and 6).

EP 1,258,555 teaches a system (see Figures 5-6) comprising a web handling apparatus having a web path including means for flexing the web to induce a plastic strain in the cross-direction of the web to decurl the sides of the moving web.

8. Claim 1 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by any one of Oishi et al. (U.S. Patent 5,975,745), Akira (U.S. Patent 4,952,281), Hall (U.S. Patent 4,360,356), Bossons (U.S. Patent 3,799,038) and Kanno (U.S. Patent 3,552,668).

Each of Oishi et al., Akira, Hall, Bossons and Kanno clearly teaches a de-curling system comprising a web handling apparatus having a web path including means for flexing the web to induce a plastic strain on the cross-section of the web.

9. Claims 5-12 are allowed.

Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record does not teach or fairly suggest a system for flexing a web comprising a web handling apparatus having a web path including means for flexing the web to induce a plastic strain in the cross-direction of the web, the flexing means including a belt assembly including first and second belts each having a surface defining a line of travel, wherein the first and second lines of travel are oriented at an angle with respect to one another, as claimed in claim 2. The prior art of record does not teach or fairly suggest a system for imparting permanent cross-directional strain in a web comprising a web handling apparatus including a flexing assembly having a first belt and a second belt and a gap therebetween, and a web path formed through the flexing assembly, the web path including a first portion along the first belt, a

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second portion along the second belt, and a third portion in said gap, wherein the third portion includes a radiused segment having a radius sufficiently small to impart a permanent strain in the web, and wherein the direction of travel of the first portion of the web path is angled with respect to the direction of travel of the second portion of the web path, as claimed in claim 5.

EP 1,258,555 teaches a decurling system including cooperating belts (see Figures 5-6), but does not teach or fairly suggest a system wherein the belts or web paths defined thereby are angled with respect to each other, as claimed in claims 2 and 5.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

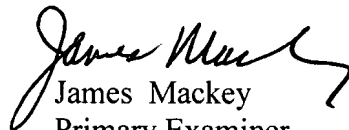
Brandes (U.S. Patent 4,190,245), Carstedt (U.S. Patent 4,060,236) and Japanese Patent Document 63-171,755 each disclose a system for flexing a moving sheet in a sheet handling apparatus by flexing the sheet.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mackey whose telephone number is 571-272-1135. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on 571-272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



James Mackey
Primary Examiner
Art Unit 1722

9/22/07

jpm
September 22, 2007